

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Ellen S. Carmody

v.

Case No. 1:12-mj-00267

ARTURO DELEON ,

Defendant.

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OPINION

On August 10, 2012, the Court heard proffer and argument on the Defendant's Emergency Motion for Temporary Release from Custody (Dkt. 12). Foremost, the Court wishes to express its condolences to Arturo Deleon at the death of his grandfather. The Court, however, denies Defendant's Emergency Motion for Temporary Release from Custody (Dkt. 12) for the following reasons.

In her Order of Detention (Dkt. 10) dated July 26, 2012, Magistrate Judge Ellen Carmody found Defendant Deleon to be a risk of flight and a danger to the community. She notes defendant's leadership position in the Latin Kings along with serious violations of parole.

It is further noted that prisoner attendance at funerals is strictly prohibited by policy of the United States Marshal Service.

Finally, the Court is concerned about defendant's current emotional state and concludes that the prudent course is to maintain defendant's custody status under the circumstances.

Therefore, Defendant's Emergency Motion for Temporary Release from Custody

(Dkt. 12) is denied. An order consistent with this opinion will issue.

Date: August 10, 2012

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
United States Magistrate Judge